

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re NATIONAL PRESCRIPTION OPIATE LITIGATION)	No. 1:17-md-2804
)	
)	Judge Dan A. Polster
)	
This Document Relates To:)	
)	
TRACK ONE CASES.)	
)	

NOTICE OF SERVICE REGARDING PLAINTIFFS' OPPOSITION TO
ALLERGAN DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, pursuant to the “Directions Regarding Filing of Briefs under Seal” issued by Special Master Cohen on June 24, 2019, the Plaintiffs in the Track One Cases served the Defendants, the Court, and the Special Masters by email on July 31, 2019, the following documents:

Plaintiffs’ Supplemental Disclosure of Expert Witness, attaching the Expert Witness Report of Marc I. Steinberg dated July 26, 2019;

Plaintiffs’ Memorandum in Opposition to Allergan Defendants’ Individual Motion for Summary Judgment (“Plaintiffs’ Opposition”);

Declaration of Aelish M. Baig in Support of Plaintiffs’ Memorandum in Opposition to Allergan Defendants’ Motion for Summary Judgment and, in the Alternative, Request for Relief Under Federal Rule of Civil Procedure 56(d), with Exhibit 1 thereto; and

Exhibits 1-77 to Plaintiffs’ Opposition:

- Exhibit 1: Scott Higham, et al., *76 billion opioid pills: Newly released federal data unmask the epidemic*, The Washington Post (July 16, 2019), https://www.washingtonpost.com/investigations/76-billion-opioid-pills-newly-released-federal-data-unmasks-the-epidemic/2019/07/16/5f29fd62-a73e-11e9-86dd-d7f0e60391e9_story.html?utm_term=.258e7cd0c7d4;
- Exhibit 2: ALLERGAN_MDL_02128035-36;
- Exhibit 3: ALLERGAN_MDL_02468982-94;
- Exhibit 4: Allergan Finance, LLC’s First Amended Objections and Responses to Plaintiffs’ Fourth Set of Interrogatories dated May 31, 2019;
- Exhibit 5: Aaron C. Davis and Jenn Abelson, *Distributors, pharmacies and manufacturers respond to previously unreleased DEA data about opioid sales*, The Washington Post (July 16, 2019), https://www.washingtonpost.com/investigations/distributors-pharmacies-and-manufacturers-respond-to-previously-unreleased-dea-data-about-opioid-sales/2019/07/16/7406d378-a7f6-11e9-86dd-d7f0e60391e9_story.html?utm_term=.20a05017cbe4;
- Exhibit 6: ALLERGAN_MDL_01396751-70;
- Exhibit 7: Allergan-Altier-002 (ALLERGAN_MDL_01610520-1060);
- Exhibit 8: Allergan-Napoli-008 (ALLERGAN_MDL_01236095-96);
- Exhibit 9: ALLERGAN_MDL_00377916-18;

- Exhibit 10: Allergan-Myers-015 (ACTAVIS1130369-79);
- Exhibit 11: US-DEA-00000001-142;
- Exhibit 12: Relevant excerpts from the transcript of the videotaped Deposition of Michael R. Clarke taken on December 7, 2018;
- Exhibit 13: Allergan-Kaufhold-013;
- Exhibit 14: Allergan-Kaufhold-011;
- Exhibit 15: Allergan-Kaufhold-015;
- Exhibit 16: Press Release entitled Allergan plc Completes Divestiture of Global Generics Business to Teva Pharmaceuticals dated Aug. 2, 2016
<https://www.allergan.com/news/news/thomson-reuters/allergan-plc-completes-divestiture-of-global-gener>;
- Exhibit 17: Allergan plc's SEC Form 10-K for the year ended December 31, 2018;
- Exhibit 18: ALLERGAN_MDL_04450023-29;
- Exhibit 19: Relevant excerpts from the transcript of the videotaped Deposition of Stephan Kaufhold taken on October 26, 2018;
- Exhibit 20: ALLERGAN_MDL_04451501-14;
- Exhibit 21: Allergan plc's Responses and Objections to Plaintiffs' First Set of Interrogatories to Allergan plc dated May 11, 2019;
- Exhibit 22: Allergan-Kaufhold-014;
- Exhibit 23: Allergan-Kaufhold-007;
- Exhibit 24: ALLERGAN_MDL_01149655;
- Exhibit 25: Allergan-Snyder-007 (ALLERGAN_MDL_01493707-08);
- Exhibit 26: Allergan-Myers-020 (ALLERGAN_MDL_00508576-80);
- Exhibit 27: Letter from Donna Welch to Aelish Baig dated March 11, 2019;
- Exhibit 28: ALLERGAN_MDL_SUPP_00000174-325;
- Exhibit 29: Settlement Agreement and Mutual Releases between Teva Pharmaceutical Industries Ltd. and Allergan plc dated January 31, 2018;
- Exhibit 30: Allergan-Woods-008 (ALLERGAN_MDL_03641386-89);
- Exhibit 31a: Relevant excerpts from the transcript to the 30(b)(6) videotaped deposition of Allergan by and through Mary Woods taken on January 9, 2019;
- Exhibit 31b: Relevant excerpts from the transcript to the 30(b)(6) videotaped deposition of Allergan by and through Mary Woods taken on January 10,

2019;

- Exhibit 32: Allergan-Napoli-006 (ALLERGAN_MDL_01236063-94);
- Exhibit 33: Relevant excerpts from the transcript of the videotaped Deposition of Thomas P. Napoli taken on January 17, 2019;
- Exhibit 34: Allergan-Napoli-019 (ALLERGAN_MDL_04173111-13);
- Exhibit 35: Allergan-Woods-012 (ALLERGAN_MDL_02081243-45);
- Exhibit 36: Allergan-Woods-015 (ALLERGAN_MDL_01684748-52);
- Exhibit 37: Allergan-Woods-016 (ALLERGAN_MDL_01979834-38);
- Exhibit 38: Allergan-Baran-002;
- Exhibit 39: Allergan-Woods-028 (ALLERGAN_MDL_02176551-53);
- Exhibit 40: Allergan-Napoli-020 (ALLERGAN_MDL_02179760-72);
- Exhibit 41: Actavis plc's SEC Form 10-K for the year ended December 31, 2013;
- Exhibit 42: Expert Witness Report of Marc I. Steinberg dated July 26, 2019;
- Exhibit 43: Allergan-Kaufhold-017 (ALLERGAN_MDL_01335569-70);
- Exhibit 44: ALLERGAN_MDL_04242038-99;
- Exhibit 45: Allergan-Kaufhold-020 (ALLERGAN_MDL_01489486-88);
- Exhibit 46: Allergan-Myers-012 (Acquired_Actavis_01373136-60);
- Exhibit 47: Relevant excerpts from the transcript of the videotaped Deposition of David A. Myers, Jr. taken on December 13, 2018;
- Exhibit 48: Allergan-Leitch-022 (ALLERGAN_MDL_00432311-12);
- Exhibit 49: Allergan-Leitch-011 (Acquired_Actavis_00369838);
- Exhibit 50: Relevant excerpts from the transcript of the videotaped Deposition of Douglas Boothe taken on January 17, 2019;
- Exhibit 51: Allergan-Perfetto-020 (Acquired_Actavis_00002258-59);
- Exhibit 52: Allergan-McCormick-008 (ACTAVIS0623776-81);
- Exhibit 53: Relevant excerpts from the transcript of the videotaped Deposition of Jinping McCormick taken on January 9, 2019;
- Exhibit 54: ALLERGAN_MDL_04240833;
- Exhibit 55: ACTAVIS0506794;
- Exhibit 56: Relevant excerpts from the transcript of the videotaped Deposition of Jennifer Altier taken on August 2, 2018;

- Exhibit 57: Allergan-Altier-017 (ACTAVIS0357036-57);
- Exhibit 58: Allergan-McCormick-017 (Acquired_Actavis_00379710-13; Acquired_Actavis_00185164-99);
- Exhibit 59: Allergan-McCormick-021 (ACTAVIS0622787-89);
- Exhibit 60: Allergan-Napoli-014 (ENDO-OPIOID_MDL_02219848-51);
- Exhibit 61: Relevant excerpts from the transcript of the videotaped Deposition of Nancy Baran taken on December 11, 2018;
- Exhibit 62: Allergan-Woods-003 (ALLERGAN_MDL_01839001-02);
- Exhibit 63: ALLERGAN_MDL_01175574-85;
- Exhibit 64: ALLERGAN_MDL_03750135-46;
- Exhibit 65: Allergan-Woods-001 (ALLERGAN_MDL_01844864-65);
- Exhibit 66: Allergan-Woods-030 (ALLERGAN_MDL_02166476-78);
- Exhibit 67: ALLERGAN_MDL_03368470-79;
- Exhibit 68: Relevant excerpts from the transcript of the videotaped Deposition of Michael Perfetto taken on December 18, 2018;
- Exhibit 69: Relevant excerpts from the transcript of the videotaped Deposition of Michael Stephen Dorsey taken on January 8, 2019;
- Exhibit 70: ALLERGAN_MDL_02186653;
- Exhibit 71: Allergan-Baran-013 (ALLERGAN_MDL_01796473-74);
- Exhibit 72: ALLERGAN_MDL_04416291;
- Exhibit 73: Relevant excerpts from the transcript of the videotaped Deposition of Julie Synder taken on November 2, 2018;
- Exhibit 74: Allergan Finance, LLC's Second Amended Responses and Objections to Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(B)(6) and Document Request Pursuant to Rule 30(B)(2) and Rule 34 dated October 22, 2018;
- Exhibit 75: ALLERGAN_MDL_04452226;
- Exhibit 76: ALLERGAN_MDL_04451817; and
- Exhibit 77: Letter from Donna Welch to Plaintiffs' Executive Committee dated October 19, 2018.

A Summary Sheet describing the motion is attached hereto as Attachment 1.

Dated: July 31, 2019

Respectfully submitted,

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